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RESOURCE RENEWAL INSTITUTE,
CENTER FOR BIOLOGICAL DIVERSITY,
and WESTERN WATERSHEDS PROJECT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RESOURCE RENEWAL INSTITUTE;
CENTER FOR BIOLOGICAL
DIVERSITY; and WESTERN
WATERSHEDS PROJECT,

Plaintiffs,

v.

NATIONAL PARK SERVICE, a federal
agency,

Defendant,

and

POINT REYES SEASHORE RANCHERS
ASSOCIATION,

Proposed Defendant-Intervenor.

Case No. 4:22-cv-145-MMC

**PLAINTIFFS’ RESPONSE TO
MOTION TO INTERVENE BY
POINT REYES SEASHORE
RANCHERS ASSOCIATION**

Hearing Date: May 27, 2022

Time: 9:00 am

Place: Courtroom 7, 19th Floor

Judge: Honorable Maxine M. Chesney

1 **PLAINTIFFS' RESPONSE TO PRSRA'S MOTION TO INTERVENE**

2 Plaintiffs Resource Renewal Institute, Center for Biological Diversity, and Western
3 Watersheds Project hereby file this response to the motion to intervene filed by the Point Reyes
4 Seashore Ranchers Association ("PRSRA"), ECF No. 30. Plaintiffs do not oppose PRSRA's
5 intervention on behalf of its members. However, Plaintiffs reserve the right to ask the Court to
6 place conditions on PRSRA's participation.

7 Even when intervention as of right is granted, a court retains discretion to impose
8 "appropriate conditions or restrictions responsive among other things to the requirements of
9 efficient conduct of the proceedings." *Ellis v. Bradbury*, Case No. 3:13-cv-1266-MMC, 2013
10 WL 4777201, at *2 (N.D. Cal. Sep. 6, 2013) (quoting Fed. R. Civ. P. 24, Advisory Committee
11 Notes to 1966 Amendments). It is too early at this point to tell what specific "conditions or
12 restrictions" on PRSRA's participation might be most appropriate, but it seems likely that such
13 conditions would include page limits on briefs and a requirement to coordinate with the National
14 Park Service to avoid duplicative briefing. *See Ellis*, 2013 WL 4777201, at *2 (requiring the
15 intervenor to file a joint motion to dismiss with other parties); *Resource Renewal Inst. v. Nat'l*
16 *Park Serv.*, Case No. 4:16-cv-688-SBA, 2016 WL 11673178, at *3 n.5, *4 (N.D. Cal. Sep. 2,
17 2016) (placing page-limit restrictions and coordination conditions on intervenors). Plaintiffs will,
18 of course, attempt to reach agreement with PRSRA on these conditions during case management
19 meetings. If such agreement cannot be reached, however, Plaintiffs reserve the right to seek from
20 this Court reasonable conditions on PRSRA's participation.

21
22 Dated: May 3, 2022

Respectfully submitted,

23 /s/ Andrew R. Missel

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